

## The Times' Daily Short Story.

## The Court's

## ...Indecision

(Original.)

Miss Eleanor Lee had taken her diploma in the law and was hesitating whether she would begin its practice or marry Mr. Thornton Merriman, a lawyer himself with a valuable practice. Mr. Merriman had made a proposition for her hand, intimating that a wife with a husband able to support her would not be justified in entering upon any occupation except that of taking care of a home. This proposition Miss Lee declined. One morning as she was getting ready to go out Mr. Merriman called and sent up his card. Miss Lee came down with hat and gloves on.

"I have come," he said, "to speak about the matter of which?"

"I believe that matter was settled," she replied, "by my handing down an adverse decision."

"From which I propose to appeal?"

"I assure you, so far as this case is concerned, I am the court of last resort. There can be no appeal from my decision."

"In that case I beg leave to file a petition for a rehearing."

"Such petitions are a mere formality and usually denied."

"But I am sure the court in this case will grant the petition."

"On the contrary, the court denies it without argument."

"But you have not yet heard the grounds on which I make it."

"What are they?"

"My proposal was made in writing, and I contend that a case of this sort cannot be properly presented by briefs, but needs oral arguments. The omission of these arguments should be held to be an error."

Miss Lee scratched her temple with her gloved finger. She had spent much thought upon her decision and considered her finding to be strictly in accordance with the law. But here was a new view of the case.

"I will take the case under advisement," she said, "and hand down my answer tomorrow evening."

The next evening Mr. Merriman called and got his answer.

"Your petition for a rehearing," she said, "I am loath to grant, having before handing down my decision considered the case in all its bearings and having spent hours of indecision which I do not wish to endure again. But I am convinced that good practice would entitle you to a rehearing. I therefore am compelled to reopen the case and listen to your oral arguments. But I make a counter appeal to you as a man not to subject me to the pain of again deciding adversely."

"You admit then?"

"Your expectation is that I shall forego the pleasure of a strenuous life at the bar to embrace one for which I have no taste, in the nursery."

"I object."

## BAKING A HAND TO SAVE IT.

Woman of Scranton, Pa., Undergoing Heroic Treatment in a Hospital.

To regain the use of her right hand Miss Lucy O'Hara of Scranton, Pa., is having it baked in 800 degrees of heat for half an hour every other day in St. Vincent's hospital at New York. Owing to the absence of moisture in the high temperature the tissues are able to withstand the high caloric and the patient, although she winced at first under the ordeal, is able to undergo the treatment with little discomfort, says the New York Herald.

She is about to win a year's battle for the restoration of a member which twice was to have been removed. She has resolutely refused to consent to an amputation, and the physicians at the hospital say it will now be a question of only a few weeks before her hand is almost if not quite as good as it ever was.

Miss O'Hara contracted septicaemia a year ago through pricking her hand while washing clothes. The hand swelled to twice its natural size and several operations were necessary. Surgeons believed the only means of saving her life was by removing the hand. The poison was thrown out of the system finally, and the hand was left shrunken. Miss O'Hara had practically no control over it.

She was advised by her physician to go to St. Vincent's hospital where the baking process is being successfully used for rheumatism. The hand is held in a steam jacket, and the temperature is gradually raised. Every day the member is massaged for an hour, and every week the patient is put under the influence of an anesthetic, the fingers are drawn out and the bones and muscles subjected to a mending process.

## A Winter Swimming Club.

A swimming club, the members of which are pledged to bathe in the Chicopee river on Sunday morning throughout the year, has been organized at Chicopee, Mass., says the New York World. A. E. Roberts is president of the club, which has four members, with several applications pending. One of the bylaws is that in case the river is frozen a hole of suitable size shall be cut in the ice for the members have disbanded. Last winter the ice was twenty-six inches thick. Betting is 5 to 1 that the club or its members die before the next president is inaugurated.

## Odd Twins.

In a cemetery adjoining a small town in the state of Vermont there is a tombstone bearing this legend: "Sacred to the memory of three twins."

## ECHOES FROM THE WAR

Heroism of Mme. Stoessel, the Saint of Port Arthur.

## MEALTIME UNDER FIRE.

Scene on Russian Fighting Line When the Bread Wagons Appeared—Japanese Tribute to Brave Muscovite Officer.

While the world militant is full of praise for General Anatole Stoessel's desperately heroic defense of Port Arthur, too little is said of the magnificent and devoted share that Mme. Stoessel has had in that work, says a special cable dispatch from St. Petersburg to the New York American and Journal. General Stoessel is undoubtedly the hero of Port Arthur. Mme. Stoessel is surely its heroine, while the garrison calls her its saint.

When General Stoessel was called to serve in the far east his wife followed him. When the siege of Port Arthur began she did not think for a moment of leaving the invested fortress, and from the time the first gun was fired she took on herself the direction of the ambulance service. Her work in that post was so splendid that soon the soldiers came to regard her as a providence, a protectress with whose life was linked that of the besieged city.

And so it came to pass that when on the 2d of August last Mme. Stoessel, while ministering to a wounded soldier, was seriously injured in the shoulder by the fragment of a shell a general grief, mingled with fright, was spread throughout the citadel. The feeling of sorrow and dread was even experienced at St. Petersburg, and was intensified by the receipt of General Stoessel's pathetic message that Port Arthur would be his tomb, a message, it is said, which was written by the bedside of his stricken wife.

But, wonderful to say, five days after being wounded—that is, the 8th of August—Mme. Stoessel quitted the hospital and immediately made a tour of the forts to reassure the garrison. Smuggled letters received at St. Petersburg describe this visit as being one of the most touching incidents of the siege. Men wept, while others knelt down by companies and kissed the hem of the gallant woman's dress as though she were a saint.

A Russian correspondent with General Orlif's force at the battle of Liaoyang gives the following picturesque account of the feeding of the Russian soldiers during battle, says the London Standard:

"Hunger was written on every man's face, a starving, wolfish hunger, which intensified the ferocious expressions of the dirty, tired and angry men."

"At 2 o'clock a deafening roar rang all along the trenches. I turned my glasses to look for charging Japs, but my ear soon distinguished not the martial 'Ura,' but a triumphant shout of 'Khibe, khibe, khibe (bread)!' I don't think if the commander in chief had ridden up on his white horse he would have got such a reception."

"The commissariat men, with wagons and baskets, came forward bravely through the bursting Japanese shells. 'Bread, bread!' roared the soldiers. And every one of them looked happy and amused as children with Christmas toys. All snatched eagerly, and I can never forget the horrible laugh and scramble which began when a shell knocked a wagon to bits, killing the driver and scattering the black hunk all over the ground. The soldiers, conscious of nothing but hunger, jumped from their positions and struggled, buffeted and butted one another."

"The dead man in the middle of the bread was not even looked at. Then another shell fell. It did not explode. But nobody save the soldier whose foot it had smashed to pulp paid the slightest attention, and not until every man had secured his dinner was the shell removed."

The Russo-Japanese war abounds in romance and deeds of chivalry, says a special cable dispatch from Tokyo to the Cleveland Plain Dealer. The Japanese are by no means slow to recognize valor in an enemy, as is witnessed by an incident that occurred several days ago.

Commandant Oyama, attached to the staff of General Oku, wrote to his family at Tokyo of a touching scene which he observed during one of the recent engagements. The captain of a company of Siberian sharpshooters ordered his men to charge and dashed in front of them, only to become aware in a few moments that not one of them had moved.

He kept on, however, and when just in front of the hostile column of Japanese he took his revolver from the holster and put a bullet through his brain. Immediately the commanding officer of the Japanese ordered his men to present arms before the corpse, while the entire troop burst into cries of "Banzai! Banzai!" to show their admiration of the Russian's courage.

He was a young lieutenant, known throughout Japan as "the hero of Motouling," writes F. A. McKenzie in the London Mail.

At the Russian attack on that pass

On the Market 32 Years.

## A Wonderful Remedy.

"Seven Barks" was discovered and formulated thirty-three years ago by the once celebrated physician and chemist, Dr. Franz Gauwein, of Weisbaden, Germany. The curative properties of "Seven Barks" are extracted from the bark of a specially grown species of the Hydrangea plant—the bark of which, as botanists will tell you, grows in seven layers, each of different color and each possessing a distinctive medicinal value. It is the only plant known from which is extracted Providence-given elements, which in combination produce a single panacea that is a sovereign remedy for most all ailments and diseases of the Lungs, Stomach, Bowels, Liver, Kidneys and Nerves. It is sold by over twenty thousand druggists in the United States alone, on a positive guarantee of absolute satisfaction or get your money back. Mrs. Mary Little, Kinneyville, W. Va., says: "I have been using 'Seven Barks' for Heart Trouble, Dyspepsia and Indigestion and find it does me more good than anything I can get."

Mrs. S. L. Kearney, of Cleveland, Miss., writes: "Seven Barks" has been a standby in my family for many years."

Mr. Conrad Stagle, Burrows, Ind., says: "For a long time I was in a bad fix with my back and kidneys and various troubles. I tried many doctors and various medicines and got no relief, but since I have been taking 'Seven Barks' I feel like a different man."

One thing we must not forget to say, "Seven Barks" is not a healing remedy. It tends to be a fighting remedy. It doesn't rush things. It works slowly and thoroughly. But it will do its duty. Follow the directions and "Seven Barks" will justify your confidence in it.

## Red Cross Pharmacy,

140 North Main St. Barre, Vermont.

On July 4 he slew a baker's dozen with his sword. In the advance of the flanking forces on Liaoyang he was among the foremost. Charging with his men through a field of giant millet, he was struck by a splinter of an exploding shell, which tore away part of his lips, shattered his teeth and wounded the tip of his tongue. He was ordered to retire, and behind a slight shelter the field surgeon did his quick work. Despite his pain, the man was seen to smile and attempted to mumble some words in his now blurred speech. Those around strained their ears to catch his meaning. The young lieutenant's smile deepened, and he made a motion with his head toward his hands and feet.

"They're still there," he thickly murmured. "I can still fight the Russians."

The Port Arthur newspaper, Novy Kral, copies of which were recently brought to us by the torpedo boat destroyer Rastvorov, prints details of a daring exploit which resulted in the sinking of a four funneled Japanese destroyer.

Japanese torpedo boats and destroyers were engaged in removing mines from Tache bay a few days ago. Midshipman Dimitrieff conceived the idea that he could torpedo the Japanese boats under cover of darkness, as the boats were very busy and enjoying a fancied security.

Securing a steam launch carrying a torpedo tube and accompanied by half a dozen volunteers, Dimitrieff slipped out of the harbor and succeeded in evading the Japanese searchlights.

Circling around the Japanese boats with the launch moving at top speed, the midshipman came within striking distance and launched his projectile. It sped to a destroyer. There was an explosion, and the destroyer sank immediately. The launch then sped toward the harbor, but was not pursued, the Japanese evidently thinking that the destroyer had struck one of their own mines.

## Air Motoring a Club Fad.

Advancement of aerostation or motoring in the air is one of the serious objects of the most up to date of New York clubs, says the New York Journal. The New York Motor club has formally decided to push the new art of sailing about in the blue along with those of streaking it across the country in a red devil and making clipping water records with auto boats. In its own words, as chosen after much discussion at its initial meeting, the purposes of the club are "to promote motoring on land, water and in the air." Sidney B. Bowman advocated the innovation. Charles H. Hyde, a director, opposed it, but the club voted to go into the Santos-Dumont business. Its first encouragement will probably be extended to Captain Baldwin, the California inventor, who is now in New York to arrange for sailings of his California Arrow, which did such astonishing things at the St. Louis world's fair.

## A "Sit Still" Club.

The Sit Still club was recently organized at Lincoln, Neb., by well known business and professional men, says a dispatch from Lincoln. The object of the club is the improvement of street car facilities. The members say that the street car company is not operating on its lines, and they propose to compel an improvement in the service by declining to surrender their seats to women when the cars are crowded. They maintain that the company will never improve the service until women agitate the question and demand an improvement, and they believe that women will take vigorous action when they find that men will not surrender their seats to them.

## Banana Varieties.

The Jamaica banana is the best. At least it is a finer looking fruit, although many people prefer the Canary Island product on account of its more delicate flavor. The third variety comes from Costa Rica, for there are three varieties of banana.

## Government Lotteries.

The Prussian government earns \$25,000,000 a year through lotteries; the Italian government about \$15,000,000.

## WELLMAN'S DIPLOMACY

Newspaper Writer's Part in Settling Coal Strike of 1902

## GREAT TACT AND FINESSE

C. Arthur Williams Tells How the Washington Correspondent Conducted Negotiations Between John Mitchell and J. P. Morgan.

The part that Walter Wellman, the well known newspaper correspondent, played in the settlement of the anthracite coal strike of 1902 is all the more remarkable as indicating the various fields of activity in which Washington correspondents sometimes operate, says C. Arthur Williams in the December Success Magazine. In the early days of the strike George W. Perkins, one of J. Pierpont Morgan's partners, was discussing it with H. H. Kohlsaat, the former owner of the paper Mr. Wellman represents in Washington. Mr. Perkins expressed the opinion that headway could be made toward an adjustment of the trouble if some tactful, reliable man could be secured to conduct negotiations between John Mitchell, the head of the striking miners, and the interests represented by Mr. Morgan. And that gentleman on being approached by Mr. Perkins consented to perform the service. He accordingly went to Wilkesbarre and spent some time with Mr. Mitchell, whose personal friend he was and is.

Without particularizing it may be said that after many conferences with the strike leader and other interested persons Mr. Wellman went to New York with the outline of a plan of settlement to which Mr. Mitchell had given his complete sanction. Consultations with members of the Morgan firm followed, and various phases of the matter were discussed with the labor leader over the long distance telephone. Then one day Mr. Mitchell telephoned to Mr. Wellman at the Waldorf-Astoria hotel in New York the exact language of his proposal, which the latter jotted down on a piece of paper. The matter had to be typewritten before its formal and final presentation to the other side. Mr. Wellman did not care to trust the document to the hotel stenographer, and a way out of the difficulty was found when he met A. Maurice Low, another Washington correspondent, in the lobby.

The two men went to a writing room, a typewriting machine was secured, and the proposed plan of settlement was written out by Mr. Low at Mr. Wellman's dictation. It was then presented by Mr. Wellman to Mr. Perkins, and the latter laid it before the operators. Its main feature was a proposal that all the questions involved in the strike should be submitted to a single arbitrator, whose decision should be final. He was to have the right to appoint a number of conferees and to go with them into the merits of the case as thoroughly as he pleased, but his judgment was to be supreme in the end, and both sides were to abide by it. When it is stated that the arbitrator thus suggested was none other than J. Pierpont Morgan himself it is not easy to understand why the whole plan was utterly rejected by the capitalists. But it was. All negotiations were declared at an end, and the history of their progress and failure is here published for the first time.

Then President Roosevelt interested himself in the matter, and again Mr. Wellman's services were enlisted. He made frequent journeys between Wilkesbarre and New York and Washington, and his diplomatic work undoubtedly helped to bring about the agreement by which the differences between capital and labor were eventually referred to the commission whose findings resulted in an amicable adjustment. During the last days of the trouble Mr. Wellman was called on by some of the individual operators to conduct negotiations between them and Mr. Mitchell with reference to certain details of interest to both parties. Thus at different times during the strike this Washington correspondent acted in a confidential capacity for J. P. Morgan & Co. for John Mitchell, for the president and for the individual

## SMITH'S BUCHU LITHIA PILLS. AND BLADDER AND KIDNEYS CURED.

## SICK KIDNEYS,

The Bladder, Rheumatism and the Blood—all these diseases yield at once and are quickly and fully cured. Price only 25 cents a box.

## A CURE at the PEOPLE'S PRICE.

My Kidney book and a Sample Package sent Free to any address. W. F. SMITH CO., 115 Summer St., Boston.

To cure Constipation, Sick Headache and Biliousness in one night, use Smith's Pile and Balm and Butternut Pills. Only 25 cents at dealers.

## ALL GENUINE SIGNED

operators. He was obliged of course to use great tact and finesse, as information frequently came to him from one of these sources which could not be divulged to any of the others without jeopardizing the whole plan of settlement.

All the time it should be understood Mr. Wellman continued to act in his journalistic capacity, sending to his paper daily dispatches telling of the progress of the peace negotiations without in any way violating any of the numerous confidences placed in him. So far as the outside world knew he was merely performing the duties of a correspondent, and this fact made his task much easier, as it enabled him to act without subjecting himself to the espionage of other newspaper men, who, of course, would have found much news in his connection with the matter. One day he brought together George W. Perkins, John Mitchell and the late Marcus A. Hanna in his room at the Waldorf-Astoria, and not one of the several reporters and correspondents, who were watching those men as only reporters and correspondents can watch, knew of the meeting or of the important matters that were discussed.

It was Mr. Wellman, too, who first suggested to President Roosevelt that George B. Cortelyou was the man above all others to manage the Republican campaign as chairman of the national committee.

## DAMES AND DAUGHTERS.

Chica Alvares is an Indian of the state of Chiapas, Mexico. She is eighteen years old, weighs 508 pounds and is still growing.

Mrs. Louise G. Smith, whose grand mother was a sister of President Thomas Jefferson, died in Louisville election day. She was seventy-eight years old.

Medora Henson Cook, daughter of Rev. P. S. Henson, pastor of Tremont Temple, Boston, has been elected professor of singing in the Royal College of Music, London.

Miss Eliza Gordon Browning, the public librarian of Indianapolis, is said to be the only woman at the head of so large a library. She began as an assistant and served in almost every capacity.

Miss Ethel Bret Harte, the daughter of the famous writer of early California life, has decided to devote herself to concert work, because her father's estate at his death was too small to support his family.

The Rev. Florence Kollock Crooker has been called to the Universalist church in Jamaica Plain, Mass., and began her work there on Nov. 1. Her husband, Dr. Crooker, will become a co-worker in the religious life of Boston.

Princess Elizabeth Carolath, the beautiful woman with whom the late Prince Herbert Bismarck eloped in the early seventies and whom he abandoned by order of his father, is living at present in Venice. She occupies a small palace, her income being rather limited.

Mrs. W. S. Penbody, wife of the governor of Colorado, has been elected to membership in the Archaeological Institute of America. For years Mrs. Penbody has been interested in the study of anthropology and was connected for some time with the bureau of ethnology at Washington.

## Plant Leaves.

The closing of the leaves of plants as the evening comes on was at first ascribed by botanists to be due to the difference in temperature, but on transplanting the plants into a greenhouse it was found that the same phenomenon occurred, the leaves closing at sunset.

YOUR GROCER SELLS IT THE YEAR 'ROUND  
**NONE SUCH MINCE MEAT**  
In 2-Pie 10c Packages with List of Valuable Premiums. MERRELL-SOULE CO. SYRACUSE, NEW YORK

**JESSE WELLEN**  
10¢ CIGAR  
WITHOUT AN EQUAL  
THIS CIGAR IS UNION MADE.